

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYNCPOINT IMAGING, LLC,

Plaintiff,

v.

NINTENDO OF AMERICA INC., et al.;

Defendants.

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Case No. 2:15-CV-00247-JRG-RSP

ORDER

Defendants Nintendo Co., Ltd., and Nintendo of America Inc. (collectively, “Nintendo”) move to declare this case exceptional under 35 U.S.C. § 285 and request their attorney’s fees. ECF No. 290. Nintendo has filed a related motion to declare certain information non-privileged. ECF No. 291. Given the seriousness of the allegations in Nintendo’s motion for attorney’s fees, the matter is set for an evidentiary hearing on June 14, 2018, at 9:00 a.m. Defendant PixArt Imaging, Inc.’s motion to join Nintendo’s motion for attorney’s fees, ECF No. 292, is granted. Plaintiff and the Defendants will be allotted two hours per side for the presentation of evidence and testimony, which includes cross-examination time, and an additional one hour per side for opening or closing argument. Defendants may collectively divide their allotted time as they wish.

SIGNED this 10th day of May, 2018.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE